



January 27, 2015

SENATE BILL No. 316

DIGEST OF SB 316 (Updated January 22, 2015 1:02 pm - DI 120)

Citations Affected: Noncode.

Synopsis: Clark County tax increment financing study. Establishes the Clark County tax increment financing study commission (commission). Requires the commission to: (1) study the structure and operation of each existing tax increment financing district in Clark County; (2) study the impact of tax increment financing districts on county government, municipal government, schools, libraries, and fire protection districts in Clark County; (3) study any other fiscal challenge that the commission believes is affecting the greater Clark County area; (4) make recommendations for best practices concerning tax increment financing methods that ensure that all units of local government that are affected by the establishment of a tax increment financing district have meaningful input in the approval process; (5) prepare a recommended plan for the management of tax increment financing districts in Clark County; and (6) make recommendations for the development of a comprehensive land use and thoroughfare plan for Clark County that is transparent and practical. Provides that the commission consists of the following members: (1) One member from each redevelopment commission or other entity that has established at least one existing tax increment financing district in Clark County, as selected by the redevelopment commission or other entity that established the tax increment financing district. (2) Three members selected by the Clark County fiscal body. (3) One member selected by the Clark County auditor. (4) One member selected jointly by the superintendents of the Clarksville Community School Corporation, Greater Clark County Schools, and West Clark Community Schools.
(Continued next page)

Effective: Upon passage.

Smith J

January 8, 2015, read first time and referred to Committee on Appropriations.
January 26, 2015, amended, reported favorably — Do Pass.

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(5) One individual selected by the One Southern Indiana Chamber of Commerce. Provides that the commission is entitled to reimbursement of expenses from each redevelopment commission or other entity that has established existing tax increment financing districts in proportion to the incremental property tax revenue in the preceding year that is attributable to existing tax increment financing districts authorized by the redevelopment commission or other entity. Authorizes the commission to contract for professional services to complete its duties. Provides that the chair of the commission may request the legislative council to authorize the legislative services agency to provide assistance to the commission. Requires the commission to submit a report of the study and recommendations of the commission to the legislative council before November 1, 2015, and to present the report at a public meeting. Provides that the commission expires January 1, 2017.



January 27, 2015

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 316

A BILL FOR AN ACT concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **The general**
2 **assembly finds that, because of the enactment of property tax**
3 **reforms and a resulting decline in local tax revenue in Clark**
4 **County, there is a greater need for fiscal transparency, review of**
5 **performance measures, and planning concerning tax increment**
6 **financing projects in Clark County.**

7 (b) As used in this SECTION, "commission" refers to the Clark
8 County tax increment financing study commission established by
9 subsection (c).

10 (c) **The Clark County tax increment financing study commission**
11 **is established.**

12 (d) **The commission consists of the following members:**

13 (1) **One (1) member from each redevelopment commission or**
14 **other entity that has established at least one (1) existing tax**
15 **increment financing district in Clark County, as selected by**
16 **the redevelopment commission or other entity that has**
17 **established the tax increment financing district.**

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(2) Three (3) members selected by the Clark County fiscal body.

(3) One (1) member selected by the Clark County auditor.

(4) One (1) member selected jointly by the superintendents of the Clarksville Community School Corporation, Greater Clark County Schools, and West Clark Community Schools.

(5) One (1) member selected by the One Southern Indiana Chamber of Commerce, who also shall serve as secretary of the commission.

The chair of the commission shall be selected by the commission. The commission's business must be conducted during a public meeting held in compliance with IC 5-14-1.5.

(e) The commission shall:

(1) study the structure and operation of each existing tax increment financing district in Clark County, including a:

(A) review of project plans, including:

(i) land use plans; and

(ii) thoroughfare plans;

(B) determination of the incremental assessed value that exceeds the base assessed value of property located in the tax increment financing district; and

(C) determination of the incremental tax revenue attributable to the incremental assessed value determined under subdivision (B);

(2) study the impact of tax increment financing districts on county government, municipal government, schools, libraries, and fire protection districts in Clark County;

(3) study any other fiscal challenge that the commission believes is affecting the greater Clark County area;

(4) make recommendations for best practices concerning tax increment financing methods that ensure:

(A) transparency and practicality; and

(B) that all units of local government that are affected by the establishment of a tax increment financing district have meaningful input in the approval process;

(5) prepare a recommended plan for the management of tax increment financing districts in Clark County; and

(6) make recommendations for the development of a comprehensive land use and thoroughfare plan for Clark County that is transparent and practical.

The commission shall complete the commission's duties under this subsection within a reasonable time.



1 (f) The commission is entitled to reimbursement for expenses of
 2 the commission from each redevelopment commission or other
 3 entity that has established at least one (1) existing tax increment
 4 financing district in Clark County. The reimbursement amount to
 5 which the commission is entitled from a redevelopment commission
 6 or other entity under this subsection must be proportionate to:

7 (1) the incremental property tax revenue in the preceding
 8 year that is attributable to all existing tax increment financing
 9 districts established by the redevelopment commission or
 10 other entity; divided by

11 (2) the total incremental property tax revenue in the
 12 preceding year that is attributable to all existing tax
 13 increment financing districts established by all redevelopment
 14 commissions or other entities in Clark County.

15 (g) The commission may contract for professional services for
 16 purposes of completing the duties of the commission.

17 (h) The chair of the commission may request the legislative
 18 council to authorize the legislative services agency to provide
 19 assistance to the commission that relates to the duties of the
 20 commission. If the legislative council authorizes assistance under
 21 this subsection, the legislative council may enter into an agreement
 22 with the commission that specifies the services that the legislative
 23 services agency will provide to the commission.

24 (i) The commission shall prepare and submit a report of the
 25 study and recommendations of the commission under subsection
 26 (e) to the legislative council before November 1, 2015. The report
 27 submitted to the legislative council must be in an electronic format
 28 under IC 5-14-6. In addition, the commission shall present the
 29 commission's report at a public meeting that must be scheduled
 30 within thirty (30) days following submission of the report to the
 31 legislative council.

32 (j) This SECTION expires January 1, 2017.

33 SECTION 2. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 316, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 13, delete "authorizing body that has" and insert **"redevelopment commission or other entity that has established"**.

Page 1, line 14, delete "authorized".

Page 1, run in lines 13 through 14.

Page 1, line 15, delete "authorizing body" and insert **"redevelopment commission or other entity that has established"**.

Page 1, line 16, delete "for".

Page 1, run in lines 15 through 16.

Page 2, between lines 2 and 3, begin a new line block indented and insert:

"(4) One (1) member selected jointly by the superintendents of the Clarksville Community School Corporation, Greater Clark County Schools, and West Clark Community Schools."

Page 2, line 3, delete "(4)" and insert **"(5)"**.

Page 2, between lines 20 and 21, begin a new line block indented and insert:

"(2) study the impact of tax increment financing districts on county government, municipal government, schools, libraries, and fire protection districts in Clark County;

(3) study any other fiscal challenge that the commission believes is affecting the greater Clark County area;"

Page 2, line 21, delete "(2)" and insert **"(4)"**.

Page 2, line 26, delete "and".

Page 2, between lines 26 and 27, begin a new line block indented and insert:

"(5) prepare a recommended plan for the management of tax increment financing districts in Clark County; and"

Page 2, line 27, delete "(3)" and insert **"(6)"**.

Page 2, between lines 31 and 32, begin a new paragraph and insert:

"(f) The commission is entitled to reimbursement for expenses of the commission from each redevelopment commission or other entity that has established at least one (1) existing tax increment financing district in Clark County. The reimbursement amount to which the commission is entitled from a redevelopment commission or other entity under this subsection must be proportionate to:

(1) the incremental property tax revenue in the preceding



year that is attributable to all existing tax increment financing districts established by the redevelopment commission or other entity; divided by

(2) the total incremental property tax revenue in the preceding year that is attributable to all existing tax increment financing districts established by all redevelopment commissions or other entities in Clark County.

(g) The commission may contract for professional services for purposes of completing the duties of the commission.

(h) The chair of the commission may request the legislative council to authorize the legislative services agency to provide assistance to the commission that relates to the duties of the commission. If the legislative council authorizes assistance under this subsection, the legislative council may enter into an agreement with the commission that specifies the services that the legislative services agency will provide to the commission."

Page 2, delete lines 32 through 34, begin a new paragraph and insert:

"(i) The commission shall prepare and submit a report of the study and recommendations of the commission under subsection (e) to the legislative council before November 1, 2015. The report submitted to the legislative council must be in an electronic format under IC 5-14-6. In addition, the commission shall present the commission's report at a public meeting that must be scheduled within thirty (30) days following submission of the report to the legislative council."

Page 2, line 35, delete "(g)" and insert "(j)".

and when so amended that said bill do pass.

(Reference is to SB 316 as introduced.)

KENLEY, Chairperson

Committee Vote: Yeas 10, Nays 2.

